

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SAFECO INSURANCE COMPANY OF  
AMERICA, a New Hampshire insurance  
company,

Plaintiff,

v.

DANIEL JOSEPH NATALE, an individual;  
CHARLIE GIBBS, an individual; and  
JENNY CHAMBERS, as the Legal Guardian  
for M.R., a minor,

Defendants.

No.: 3:21-cv-05911-JHC

STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE  
OF REMAINING CLAIMS

**I. STIPULATION**

It is hereby stipulated by and between the parties hereto, through their respective undersigned attorneys, that the remaining claims in the above-captioned lawsuit have been resolved and may be dismissed without prejudice and without attorney fees or costs to any party.

By way of background, plaintiff filed suit on December 10, 2021 (Dkt. 1) asserting a single cause of action (*id.* at 5-6). All defendants were served (Dkts. 4, 5, 6). Defendant Jenny Chambers appeared on February 10, 2022 (Dkt. 10) and answered plaintiff's complaint

1 on March 25, 2022 (Dkt. 19).

2 Defendants Daniel Natale and Charlie Gibbs never appeared or answered plaintiff's  
3 Complaint. As a result, plaintiff obtained an order of default against both defendants Natale  
4 and Gibbs (Dkt. 18).

5 On August 2, 2022, plaintiff filed a Motion for Summary Judgment with respect to its  
6 single cause of action (Dkt. 27). The motion was unopposed, and the court granted the  
7 motion on December 6, 2022 (Dkt. 32).

8 The only remaining claim, then, is plaintiff's single claim as applied to the defaulting  
9 defendants Natale and Gibbs. While plaintiff could, at this point, seek a default judgment  
10 against both, the matter is now moot as the underlying lawsuit has settled. As a result,  
11 plaintiff and defendant Chambers hereby stipulate that any and all remaining claims may be  
12 dismissed without prejudice, and that this matter may be closed.

13  
14 DATED: April 13, 2023

15 BULLIVANT HOUSER BAILEY PC

16 PFAU COCHRAN VERTETIS AMALA

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***Attorneys for Defendant Jenny Chambers,***  
***legal guardian for M.R., a minor***

II. ORDER

It is so ordered.

DATED this 14th day of April, 2023.



THE HONORABLE JOHN H. CHUN  
United States District Judge

Presented by:

BULLIVANT HOUSER BAILEY PC

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